IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 52 OF 2007
IN
FIRST APPEAL NO. 48 OF 2007

SHRI. NAMDEV NAKUL GAONKAR ... Applicant
Versus
SHRI. KRISHNA ARJUN GAONKAR (DECEASED) REPRESENTED BY LR'S AND 7 ORS. ... Respondents

Mr. Valmiki Menezes, for the Applicant.

Mr. S. V. Prabhugaonkar For R.1a & 1b

Coram:- S.A.BOBDE, J.

Date:- 3rd May, 2007

P.C.:

Heard.

The appeal has been admitted. It appears that prima facie the finding that the plaintiff is in possession is not based on any specific material.

The learned counsel for the respondents relies on an Order passed by the Deputy Collector in revenue proceedings by which part of the suit property was shown as being in possession of the plaintiff. However, that order of the Deputy Collector has been set aside by the Administrative Tribunal as is apparent from paragraph 37 of the Order. In these circumstances, it would be appropriate to grant interim stay of the effect of the order, pending appeal.

Civil Application stands disposed of.

S.A.BOBDE, J.

sl.